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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**

7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 v.

10 ALBERTO MEZA,

11 Defendant.

Case No. 2:21-mj-966-BNW

JOINT STIPULATION

12
13 It is hereby stipulated and agreed, by and between United States Attorney, Jason
14 Frierson and Angelica Marmorstein, Assistant United States Attorney, and Abel Mariano
15 Yanez, Esq., counsel for defendant, Alberto Meza, that:

16 1. On January 19, 2022, pursuant to a Plea Agreement, Mr. Meza pled guilty to
17 the Count One of the Complaint: Operating a Motor Vehicle while Under the Influence of
18 Alcohol in violation of 36 C.F.R. § 4.23(a)(1). The remaining charges were dismissed.

19 2. The Plea Agreement prescribes that if Mr. Meza successfully completed
20 conditions i, ii, iii, and iv contained in Section 4(c) of the Agreement and did not violate any
21 laws within the first six months of Mr. Meza's unsupervised probation, the parties would
22 jointly move to allow Mr. Meza to withdraw his guilty plea to Count One, the Government
23 would move to amend Count One to a charge of Reckless Driving (36 C.F.R. § 4.2), Mr.
24

Meza would plead guilty to the amended Count One, and the parties would jointly agree that the original sentence be applied to the Reckless Driving conviction.

3. On January 19, 2022, this Court sentenced Mr. Meza to (1) Pay a \$500 fine and \$10 assessment; (2) Complete DUI School; (3) Complete Victim Impact Panel; (3) Complete eight-hour Alcohol Awareness Class; (4) Not violate any local, state, or federal laws; and (5) Stay out of Lake Mead National Recreational Area for a period of six months.

4. Mr. Meza has completed all the requirements mandated by the Plea Agreement and this Court's sentencing Orders.

5. The Government is satisfied that Mr. Meza has completed the conditions of his sentencing.

6. Because Mr. Meza has successfully completed the terms of his sentencing, and therefore his requirements under the Plea Agreement, the parties request that Mr. Meza be allowed to withdraw his guilty plea to Count One, the Government be allowed to amend Count One to a charge of Reckless Driving (36 C.F.R. § 4.2), that Mr. Meza plead guilty to the amended Count One, that the original sentence be applied to the Reckless Driving conviction, and that the case be closed.

DATED this 13th day of July, 2022.

JASON FRIERSON
United States Attorney

NOBLES & YANEZ LAW FIRM

/s/ Angelica Marmorstein
ANGELICA MARMORSTEIN
Assistant United States Attorney
Counsel for the United States

/s/ Abel Mariano Yanez
ABEL MARIANO YANEZ, ESQ.
Counsel for Defendant

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALBERTO MEZA,

Defendant.

Case No. 2:20-mj-966-BNW

ORDER

Based on the pending Stipulation between the defense and the Government, and good cause appearing therefore, the Court Orders that:

1. The Defendant be allowed to withdraw his guilty plea to Count One, Operating a Motor Vehicle while Under the Influence of Alcohol (36 C.F.R. § 4.23(a)(1)).
2. The Government be allowed to amend Count One to a charge of Reckless Driving (36 C.F.R. § 4.2).
3. The Defendant be allowed to plead guilty to the amended Count One.
4. The original sentence be applied to the Reckless Driving conviction.
5. The case be closed.

DATED this 14th day of July, 2022.



HONORABLE BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE